

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ROBERT V. TOWNES, IV, Individually and
on behalf of all persons similarly situated,

Plaintiff,

v.

TRANS UNION, LLC and TRUELINK, INC.,

Defendants.

CASE NO. 04-1488-JJF

**DECLARATION OF JENNIFER M.
KEOUGH REGARDING SETTLEMENT
WEBSITE, EMAIL NOTICE, POSTCARD
NOTICE, TELEPHONE ASSISTANCE
PROGRAM, AND EXCLUSIONS**

DECLARATION OF JENNIFER M. KEOUGH

JENNIFER M. KEOUGH declares:

1. I am a Senior Vice President of The Garden City Group, Inc. (“GCG”) and Managing Director of GCG’s West Coast Regional Office. The following statements are based on my personal knowledge and information provided by other GCG employees working under my supervision, and if called on to do so, I could and would testify competently thereto.
2. The Court’s Preliminary Approval Order dated April 16, 2007 (the “Order”), which granted preliminary approval of the Stipulation of Settlement between Lead Plaintiff and Defendants (the “Settlement” or “Settlement Agreement”) in the Robert V. Townes, IV v. TransUnion, LLC and TrueLink, Inc. litigation (the “Townes Action”), approved the selection of GCG as the Settlement Administrator. The purpose of this Declaration is to certify to the Court that the following have occurred: (a) the website is operating in compliance with the Order and the Settlement Agreement; (b) the Email Notice was completed in compliance with the Order and the Settlement

1-

DECLARATION OF JENNIFER M.
KEOUGH

Agreement; (c) the Postcard Notice mailing was completed in compliance with the Order and the Settlement Agreement; and (d) the telephone assistance program is operating in compliance with the Order and the Settlement Agreement. The Declaration also reports on the exclusions received by GCG from Class Members.

3. **WEBSITE:** Pursuant to the Order, GCG established and is maintaining a website dedicated to this Settlement, www.townesettlement.com (the “Website”). The Website was operational beginning on May 8, 2007. The Website was registered with Google immediately upon its being operational. Users of the Website can view and download copies of the Settlement Agreement, the Long-Form Notice, the Email Notice, the Order, and the Authentication Form. The Website also provides users with the dates important to the Settlement, answers to frequently asked questions, and other information. The Website allows Class Members who receive an Email or Postcard Notice to file their Authentication Form online. Those persons who are not able to authenticate using the online system or who wish to mail their information to GCG are allowed to produce and print out a personalized Authentication Form for mailed submission to GCG. As of August 16, 2007, GCG’s records show 158,451 visits to the Website. GCG also confirmed that near the date that the Website became available that the following conditions existed: (i) a weblink to the Website was posted on the login page of the Defendants’ Websites; (ii) a weblink to the Website was posted on a page of the Learning Center portion of the www.truecredit.com, www.freecreditprofile.com, and www.knowyourloanrate.com websites; (iii) a weblink to the Website was posted on the Help and Education page of the www.transunioncs.com website; and (iv) a weblink to the Website was posted on the Consumer Resources page the www.transunion.com website.

4. **EMAIL NOTICE:** Prior to sending the Email Notice, GCG received a list (known as the “Class List”) from TransUnion, LLC and TrueLink, Inc. that contained 3,868,562 unique records with the following information for each Class Member: (i) the consumer’s first, middle and last

name; (ii) the consumer's current address, if known; (iii) the consumer's Social Security number and (iv) the consumer's current email address, if known. The Class List was used to send the Email Notice. GCG sent the Email Notices in accordance with the Order, causing the approved Email Notice, in a form substantially similar to that attached to the Order as Exhibit "A-1", to be sent by email to each Settlement Class Member at each Member's last known email address in the Class List, to the extent such address was available. GCG monitored the transmissions of the Email Notice, and where an email "bounced-back," where GCG determined it to be useful, GCG caused the Email Notice to be resent. The Email Notice was successfully sent to 2,881,830 Class Members and was completed by May 15, 2007. A true and correct copy of the Email Notice is attached to this Declaration as Exhibit A.

5. **POSTCARD NOTICE:** GCG caused the approved Postcard Notice to be sent via first class mail to Class Members whose Email Notice "bounced-back," or where no email address was available. 986,732 emails were not successfully transmitted. Additionally, four (4) records were identified as containing duplicate email addresses where successful transmission could not be verified. Therefore, in order to completely ensure that all Class Members received proper Postcard Notice, GCG mailed 986,736 Postcard Notices pursuant to paragraph 4.5 of the Settlement Agreement. Prior to the mailing of the Postcard Notice mailing addresses in the Class List for Class Members were updated using the National Change of Address ("NCOA") process. All mailing of Postcard Notice pursuant to the Preliminary Approval Order was completed by June 15, 2007. Thereafter, GCG remailed the Postcard Notice via first class mail to updated addresses of Class Members received as address change notifications from the U.S. Postal Service. A true and correct copy of the Postcard Notice is attached to this Declaration as Exhibit B.

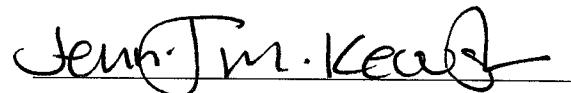
6. **TELEPHONE ASSISTANCE PROGRAM:** On May 7, 2007, GCG established and is maintaining a toll-free Interactive Voice Response ("IVR") system dedicated to this Settlement to accommodate inquiries from Class Members. The system is accessible 24 hours a day, seven

days a week. Callers have the ability to select from menu options and hear specific recorded information about the Settlement. Additionally, callers have the ability to speak to a live operator between the hours of 9AM and 8PM Eastern Standard Time. In addition, GCG has properly returned each potential Settlement Class Member inquiry forwarded to GCG by counsel for the parties. As of August 16, 2007, GCG has received 12,268 calls to the IVR, with 3,503 calls to a live operator.

7. **EXCLUSIONS:** Class Members who wished to opt-out of the Settlement were required to submit their written exclusion to GCG postmarked no later than August 27, 2007. As of August 16, 2007, GCG had received 383 timely and potentially valid exclusions, and 0 untimely exclusions.

I declare under the penalty of perjury under the laws of the State of Delaware that the foregoing is true and correct.

Executed this 17th day of August 2007 at Seattle, Washington.



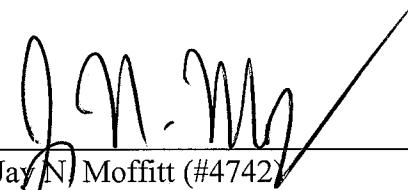
JENNIFER M. KEOUGH

CERTIFICATE OF SERVICE

I, Jay N. Moffitt, hereby certify that on August 20, 2007 I caused the foregoing Declaration of Jennifer M. Keough to be electronically filed with the Clerk of Court using CM/ECF, which will send notification of such filing(s) to the following:

Christopher J. Curtin, Esq.
Erisman & Curtin
629 Mt. Lebanon Road
Wilmington, DE 19803

Carmella P. Keener, Esq.
Rosenthal, Monhait & Goddess, P.A.
919 North Market Street, Ste. 1401
Citizens Bank Building
Wilmington, DE 19899



Jay N. Moffitt (#4742)
MORRIS, NICHOLS, ARSHT & TUNNELL LLP
1201 N. Market Street
Wilmington, Delaware 19801
(302) 658-9200
bgreen@mnat.com
Attorneys for Defendants

August 20, 2007